

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'āina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

ADVANCE COPY

Committee Meeting Held
March 3, 2022

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, which considered Resolution 22-7 entitled:

"RESOLUTION CONFIRMING THE REAPPOINTMENT OF
FERNANDO J. FRONTERA TO SERVE ON THE BUILDING BOARD OF
APPEALS OF THE CITY AND COUNTY OF HONOLULU,"

introduced on January 12, 2022, reports as follows:

The purpose of the Resolution is to confirm the reappointment of Fernando J. Frontera to serve on the Building Board of Appeals. The Mayor has requested Council confirmation of the reappointment of Mr. Frontera through Mayor's Message 5 (2022) for a term to expire on December 31, 2024.

A public hearing was held on Mr. Frontera's reappointment at the City Council meeting of January 26, 2022.

Mr. Frontera provided background information about himself and expressed his willingness to serve on the Building Board of Appeals.

Your Committee received no public testimony on the Resolution.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 52

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'āina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

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Your Committee considered and approved a posted proposed CD1 version that makes the following amendments:

- A. Moves the fifth WHEREAS clause, regarding engineer and architect license qualifications for four members of the Building Board of Appeals, to be the third WHEREAS clause.
- B. Throughout the Resolution, updates the references to the ROH provision establishing the Building Board of Appeals, its membership, and duties (ROH Section 16-1.1(14)).
- C. In Item (1) of the second WHEREAS clause, clarifies that the Building Board of Appeals also hears and determines appeals of decisions regarding the administration of the Energy Code.
- D. In the renumbered fourth WHEREAS clause, adds a reference to Mayor's Message 5 (2022), dated January 10, 2022.
- E. Adds the Director of Planning and Permitting as a recipient of a copy of the Resolution.
- F. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee finds that Mr. Frontera meets the qualifications required to serve as a member of the Building Board of Appeals.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 52

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

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Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 22-7, as amended herein, and recommends its adoption in the form attached hereto as Resolution 22-7, CD1. (Ayes: Cordero, Elefante, Say – 3; Noes: None; Excused: Kia'āina - 1.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 52



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADVANCE COPY

No. 22-7, CD1

RESOLUTION

CONFIRMING THE REAPPOINTMENT OF FERNANDO J. FRONTERA TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

WHEREAS, Section 16-1.1(14), Revised Ordinances of Honolulu 1990 ("ROH"), establishes the Building Board of Appeals consisting of nine members who are appointed by the Mayor and confirmed by the Council of the City and County of Honolulu ("Council") to five-year terms; and

WHEREAS, ROH Section 16-1.1(14) provides that the Building Board of Appeals has the duties of hearing and determining the following:

- (1) Appeals of decisions regarding the administration of the Building Code, Electrical Code, Plumbing Code, Housing Code, Fire Code, Energy Code, Building Energy Efficiency Standards, and building permit ordinance;
- (2) Petitions for variances from the Building Code, Electrical Code, Plumbing Code, Fire Code, and Building Energy Efficiency Standards;
- (3) Appeals of decisions regarding the administrative enforcement of the litter control ordinance; and
- (4) Appeals concerning the summary removal of unlawful signs from street rights-of-way and public malls; and

WHEREAS, ROH Section 16-1.1(14) establishes a general qualification requiring four members of the Building Board of Appeals to be "currently licensed as engineers or architects with the State of Hawaii board of registration of professional engineers, architects, land surveyors, and landscape architects"; and

WHEREAS, by Mayor's Message 5 (2022), dated January 10, 2022, the Mayor has reappointed Mr. Fernando J. Frontera to the Building Board of Appeals; and

WHEREAS, if confirmed by the Council, Mr. Fernando J. Frontera will be reappointed as an Engineer/Architect member on the Building Board of Appeals and serve for a term to expire on December 31, 2024; and

WHEREAS, Section 13-103, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, which applies to the Building Board of Appeals, requires a member to be a registered voter of the City and County of Honolulu ("City"); and



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 22-7, CD1

RESOLUTION

WHEREAS, the Council has reviewed Mr. Fernando J. Frontera's qualifications and finds that Mr. Fernando J. Frontera qualifies to serve on the Building Board of Appeals and deserves confirmation; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that this body confirms the reappointment of Mr. Fernando J. Frontera to the Building Board of Appeals for a term to expire on December 31, 2024; and

BE IT FURTHER RESOLVED that the Council expresses its gratitude and appreciation to Mr. Fernando J. Frontera for his willingness to be considered for public service and actively participate in City government; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Chair of the Building Board of Appeals, the Director of Planning and Permitting, and Mr. Fernando J. Frontera.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

January 12, 2022
Honolulu, Hawai'i

Councilmembers